

Order

**Michigan Supreme Court
Lansing, Michigan**

February 1, 2011

Robert P. Young, Jr.,
Chief Justice

ADM File No. 2010-21

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

Amendment of
Rule 8.110 of the
Michigan Court Rules

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of Rule 8.110 of the Michigan Court Rules is adopted, effective May 1, 2011.

[Additions are indicated by underline, and deletions by strikethrough.]

Rule 8.110 Chief Judge Rule

(A)-(B)[Unchanged.]

(C) Duties and Powers of Chief Judge.

(1)-(4)[Unchanged.]

(5) The chief judge of the court in which criminal proceedings are pending shall have filed with the state court administrator a quarterly report listing the following cases in a format prescribed by the state court administrator:

(a)-(b) [Unchanged.]

(c) in computing the 126-day and 301-day periods, the court shall exclude periods of delay

(1)-(3)[Unchanged.]

(4) during the time an order is in effect that stays the disposition or proceedings of the case pending interlocutory appellate review.

(6)-(7)[Unchanged.]

(D) [Unchanged.]

Staff Comment: The amendment of MCR 8.110(C)(5)(c)(4) excludes cases that are stayed during an interlocutory appeal from being included in the group of cases delayed beyond the time guidelines that are required to be reported by the chief judge to the State Court Administrator.

The staff comment is not an authoritative construction by the Court.



I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

February 1, 2011

Corbin R. Davis

Clerk